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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant : David J. Brayden

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Serial No. : 09/386,709

TECH CENTER 1600/2900

Filed : August 31, 1999

For : ORAL VACCINE COMPOSITIONS

Group Art Unit : 1645

Examiner : Jennifer E. Graser

NOTICE OF APPEAL

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection of claims 21-25, 27-31, 33 and 35-37 in the Office Action of April 29, 2002.

This should also be considered an appeal from the final rejection of claims 38-40 if their omission from the list of rejected claims in the Office Action of April 29, 2002 was due to an oversight rather than allowance.

Applicant is enclosing a Petition for Extension of Time to extent to the date that this Notice is being filed.

Please charge the fee of Three Hundred Twenty Dollars (\$320.00) for the

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Notice of Appeal, or any additional fees associated with this Notice, to Deposit Account No.
03-0075.

A duplicate copy of this Notice of Appeal is enclosed.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

October 28, 2002

By Allan H. Fried

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CERTIFICATE OF MAILING

I hereby certify that the foregoing NOTICE OF APPEAL, in duplicate, a PETITION FOR EXTENSION OF TIME, in duplicate, a TRANSMITTAL FORM, and a FEE TRANSMITTAL FOR FY 2002, in duplicate, re Application Serial No. 09/386,709, are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner of Patents, Washington, D.C. on this 28th day of October, 2002.

Allan H. Fried
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Reg. No. 31,253